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UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

WHARTON CAPITAL PARTNERS LTD.,  
*ET ANO*,

08 Civ. 0056 (SHS)

Plaintiffs,

ORDER FOR INITIAL  
PRETRIAL CONFERENCE

-against-

XSUNX, INC.,

Defendant.

SIDNEY H. STEIN, U.S. District Judge.

This case has been assigned to this Court for all purposes. Counsel for all parties are required to register promptly as filing users in accordance with the Procedures for Electronic Case Filing.

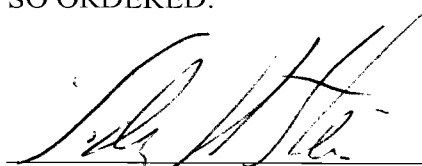
Counsel are directed to appear in courtroom 23A on March 21, 2008, at 10:00 a.m. for an initial case management conference pursuant to Fed. R. Civ. P. 16. At that time, counsel for all parties must appear prepared to discuss the progress of the case and the scheduling of discovery proceedings, any dispositive motions, the feasibility of settlement or alternative dispute resolution, the dates for future conferences, and the submission of a joint pretrial order.

Plaintiffs' attorney shall send a copy of this Order to defendant's attorney.

Attorneys are directed to consult the SDNY Procedures for Electronic Case Filing and Judge Stein's Individual Rules for matters assigned to him.

Dated: New York, New York  
January 24, 2008

SO ORDERED:

  
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Sidney H. Stein, U.S.D.J.

To: Jeffrey A. Udell, Esq.